

INDIANAPOLIS, MARCH 7, 1850.

CONSTITUTIONAL REFORM. The Grand Jury System.

We published a communication, signed "P.," a short time since, in favor of the abrogation of the Grand Jury system. The author of the communication is one of the ablest lawyers of this State. His proposition has been the subject of conversation among lawyers and other intelligent gentlemen of this city, but we hear of no formidable objection to it. We observed a short time since, that the New Orleans True Delta had taken hold of the same subject with a strong hand, being stimulated to do so, by the action of the Grand Jury, in the case of the Spanish Consul for the abduction of Rey, and in which the Jury ignored a bill of indictment in the face of almost positive proof of guilt.

We consider no apology due to our readers, (says the True Delta), with recent events still fresh before them, for publishing the annexed extracts from English journals on the pernicious influences frequently brought to bear upon grand juries, and the absence in the present state of the laws of that country and our own, of all necessity for their continuance.

If there be one element of justice that appeals more strongly than another to a liberty loving people, it is its open proceedings. Wherever there is secrecy, there is dishonesty some time or another, and it requires no wilecraft to foretell the quarter likely to be benefited in such contingency. That inconvenience may not by possibility arise from a publication of testimony in preliminary investigations once in a century, perhaps, we will not contend; but even so, the benefits derived by the public during the remainder of the period, will more than counterbalance the centennial irregularity or aberration, if it should occur.

If criminals, whose guilt is as clear as the sun in the heavens, can strangle investigation in a room not accessible to public scrutiny, can poison justice at the fountain head, the laws are a farce, and the equality of the citizens before them, a delusion and a mock.

We copy the following article and the extracts it contains from the Worcester (England) Herald:

THE GRAND JURY SYSTEM.—The experiment of dispensing with the ceremony of a Grand Jury, in the administration of justice, is about to be made by means of an act now passing through its last stages in the House of Commons, which abolishes that tribunal in the metropolitan districts, including, of course, the Central Criminal Court.

We have called the grand jury a ceremony, because when it does no mischief, it is so, and nothing more; but it may become, either accidentally or designedly, exceedingly mischievous. For example, it is a ceremony in ninety-nine cases out of one hundred, where true bills are found, as in these the accused parties have been committed after a far more searching judicial investigation of the charge preferred against them, than ever takes place in the grand jury room. The intervention between the committing magistrate and the jury, who are to try the accused, is a tribunal, which simply inquires whether there be *prima facie*, that is, a probable ground of suspicion, against them, is at best, therefore, a useless ceremony; but we shall also prove conclusively, that it may be rendered a serious evil. Accidentally it may defeat justice, as where the witnesses against the accused fail, from some fortuitous circumstance, to attend before the grand jury; and, designedly, it may have the same effect, as where witnesses are kept out of the way on purpose. There are many other ways in which the noxious capabilities of this weed of our ancient judicial system may be brought into pestilential activity.

Two bills cannot be found against any one for the same offence; and, therefore, an accomplice or friend may, in many cases, prefer a bill of indictment, before the grand jury, against an individual in order to prevent a party really aggrieved from obtaining justice. In such a case, no evidence is offered before the petit jury, and they return a verdict of not guilty. This mode of "cooking" grand jury bills, was formerly extensively practised to extort money from keepers of gambling houses, and probably is so still. The bill to abolish grand juries, above referred to, is founded upon abundant evidence of their plain evils.

Mr. Humphreys, a solicitor in extensive criminal practice, says:

"My objections to the grand jury system are, that it is *injurious frequently to innocent parties, and that it is a protection very often to guilty parties; and that it assists the compromise of offences which have been investigated fully before the magistrates; for by means of its secret acting, there is no opportunity of knowing what takes place before it, and consequently the evidence which has been given before the magistrate may be increased, repressed, or diminished before the grand jury.*"

Mr. Mirehouse, the assistant Judge of the Central Criminal Court, has tried 25,000 cases, and he says:

"I do not know one single argument in favor of the grand jury system. I should be glad to hear any one put up a question, or make a statement, or retain them in the Central Criminal Court. I never heard one argument in favor of it, that has been conclusive in my mind."

The press is nearly unanimous in condemning grand juries. The Times, for example, says:

"The grand jury is a relic of another condition of society, of a method of administering justice now entirely reformed. Whatever was originally valuable in such a jurisdiction has passed into other hands, and is exercised in a manner far more conducive to the general advantage. The police magistrate, who conducts his inquiry with open doors; who confronts the witnesses with the accused; who admits the legal advisers of the supposed criminal to his court, and permits them to argue against the propriety of his commitment, either on grounds of law or fact; and who, above all, must exercise his solemn and important functions without forgetting the reporters in his court, and the great body of the nation out of doors, whom they represent—such an officer, we say, exercising his jurisdiction in such a manner, offers far more valuable guarantees to the public than any mystical tribunal such as the grand jury, which proceeds in the very reverse of what we have just described. The natural result follows from the existence of such an abnormal jurisdiction in the modern system of administering criminal justice. It is determined to extort money from persons moving in a respectable sphere of society, and who would rather suffer any pecuniary sacrifice than have their names brought before the public in connection with an odious charge; the extortioner prefers a bill of indictment before the grand jury. Against the innocent it remains a terrible instrument of oppression. Is it the object of an experienced thief to get off after committing a crime?—It is in the grand jury he looks for his chief anchor. 'I consider,' said Mr. Mirehouse, who has filled the office of common sergeant of the city of London for the last fifteen or sixteen years, 'that a thief has about twelve or fourteen chances to get off, and that (the grand jury) is the first and greatest chance. Generally, a man of the swiftness has plenty of money, or he is connected with those who have. Then he buys off the witnesses, and gets them to stay away, and not to go before the grand jury.' These are the two main and leading reasons for the abolition of the system, inasmuch as they point to the great evils which cannot be so feared to disgrace a modern system of jurisprudence when they have been once stated out."

It is well urged by the Essex Herald:

"The grand jury system is in the present day but a form, and in great cities, as it has been proved, frequently a mischievous one, leading often to the escape of the guilty, and sometimes being made an instrument of extortion. The duties which the grand jury was originally intended to discharge are now performed by the committing magistrate—he stands between a party wrongfully accused, and a long imprisonment before trial; and we see no utility in another shifting of the case before the prisoner is called on to answer the charge against him. And the alteration would have this advantage—the close now summoned as special juries would be thrown into the general panel, and thus the standard of intelligence in the jury-box would be raised—an improvement which those accustomed to watch the administration of public justice must have often felt to be desirable. Under certain conditions we can see no danger in committing to one competent honest man the task of investigating and deciding in charges of a criminal

nature to the extent of ascertaining whether there be probable grounds for sending the prisoner before a jury, who shall hear the evidence on both sides and determine accordingly. The most important of these conditions would be that every investigation at which any person is committed or discharged by any police magistrate or justice of the peace, shall take place in an open court, and it shall not be lawful for any magistrate to hear and determine, so far as committing and discharging, any charge whatever in private."

Railroads.

We have been so crowded with matters of various kinds, of a general political character, that we have had but small chance to notice such as have a more immediate bearing on our local and commercial interests. It is not too late, however, to give a bird's-eye view of some of the most prominent of the facilities in our possession as a State, and thereby to direct public attention to the same.

We have before us the seventh annual report of the Madison and Indianapolis Railroad Company for the year ending December 31, 1849.

The Report says:

"The time fixed for the annual meeting of the Board was, upon this occasion, followed so immediately upon the close of the fiscal year, as to somewhat embarrass the officers of the Company, in presenting the business and condition of the Road. The actual receipts and expenditures in the Road Department proper, with the earnings of the Road, are readily arrived at, and will be accurately given; but in the stock account for the improvement of the Road, there may be some uncertainty, owing to the fact that we have not been able to get our accounts current from New York, and New Orleans, and also from the fact, that at the close of the year we had a large amount of iron at New Orleans, at Lafayette, and on the rivers, for freights and duties upon which we have advanced funds, the specific appropriations of which have not been communicated to us in such form as to enter accurately into our accounts."

So far then as the receipts and disbursements can be brought up, they amount as follows:

Total receipts,	\$183,611 17
Total expenditures,	454,905 17

Leaving a balance of, \$25,706 00

"This balance, though nominally in the hands of the Treasurer, has, in fact, been transferred to New Orleans, for payment of freight and duties on iron; but the account current and vouchers have not been returned as to credit the Treasurer in due form. The receipts and disbursements of the Road fund proper, showing its earnings during the year, are as follows:

Received from transportation of freight,	\$243,159 59	
From other sources, as Old Metal sold,	work done at shops for other roads and persons, &c.,	4,730 45

Making a total of, \$247,920 34

Amount paid legitimate expenses of Road, as per items in general account, \$137,530 77

Amount paid State in stock, as rent, 1,152 04

Net earnings, \$109,237 53

From which deduct payment of July dividend, 50,737 60

Leaving a balance of, \$58,499 93

Which given to the stockholders a present dividend of four and one-half per cent. for the last six months, and eight and one-half per cent. for the year; with a surplus of \$1,246 75.

In comparing results with the preceding report, it must be borne in mind that the fiscal year of 1848, embraced the balance of the month of December, 1847.

The total receipts from transportation and mail service, during the past year, it will be seen, are, \$243,159 59

During the fiscal year of 1848, they were, \$212,065 55

Showing an increase of, \$31,094 04

Notwithstanding this liberal increase, the receipts have fallen much below our estimates. These estimates would undoubtedly have been realized, but for circumstances entirely beyond our control. Indeed the two leading ones may be regarded as dispensations of Divine Providence.

The report then gives the reasons for the falling off, viz: the cholera and the failure of the wheat crop, and the difference of prices at various places of the hog market, and conclusively shows, that notwithstanding these draw-backs, the operations of the year are of the most satisfactory character.

The expenses of the road have been extraordinarily increased for reasons given; but which will not necessarily follow in future years. Besides the repairs of old engines and cars, and the purchase of new ones, the company have built, during the year, two fine baggage cars, six new freight cars, sixteen new hog cars, ten new plow or lumber cars, and eleven four wheel dirt cars. All the expenditures for these, including 400 new wheels, and 150 new axles, have gone to the charge of repairs of cars and machinery. The permanent account of "New Cars and Machinery" was charged in 1848, with \$93,767 62; in 1849, it is charged with \$39,232 75—showing a reduction of \$54,534 87, and the charge in 1849 is almost wholly made up of obligations incurred in 1848, and passed over to the next year for payment, charged upon the permanent funds.

The report says:

"So far as power is concerned, the road may be regarded as fully stocked for two or three years, unless its running distance should be extended. If negotiations now pending, for the running of two roads meeting ours at Indianapolis, should be consummated, we shall want by the first of October next, two first class freight engines. The cars that may be required are within our own building capacities; and can be put up at much less cost, and in a better manner than elsewhere. We have at present in process of construction two Passenger Cars, that are required upon our own road."

We have not space for further extracts at present; but to show, in addition to the paragraph above, the very rapid increase of the business of the road, we append a statement of the present stock, which is kept at work all the time.

Five 1st class engines; seven 2d class do.; two 3d class do.; two 4th class do. Four 1st class passenger cars; four 2d do.; four baggage cars; two horse cars; fifty-seven horse freight cars; twenty lumber cars; ninety-one hog cars; five horse freight cars connected with the Shelbyville road; eleven four wheel hand cars; eleven four wheel sand and gravel cars.

In alluding to the progress of railroads, it is interesting to look back to the commencement of the railroad enterprise in this commonwealth, and examine the estimates of income and expenses then made on some of the leading roads, and compare them with the actual receipts and expenditures at the present time. Take, for instance, the Boston and Worcester road. The following is from the Worcester Spy of July 16, 1831:

"The Boston and Worcester Railroad.—It is cheering to observe the spirit manifested by the capitalists of Boston in relation to a railroad between this city and that town. The act of incorporation of the company provides that the capital stock shall consist of ten thousand shares, not to exceed one hundred dol-

lars per share, and the price of shares has been fixed at that sum. In estimating the profits of the undertaking, the income from passengers to be conveyed by four locomotive engines is computed at \$71,370 per year. The average amount of travelling in the stages now running between Boston and Worcester, is \$44,720, exclusive of the smaller lines, which, together with the travel likely to be attracted by the railroad, will give the above amount, estimating the fare at \$1 50 for each passenger between the places. As to the quantity of goods to be transported, it is computed that the amount of the present business which would be accommodated by the railroad, would require a transportation equivalent to 18,000 tons, for which, at \$3 per ton, the receipts would be \$54,000. The expenses for repairs of the road and of the locomotive engines, the cost of fuel, &c., the salaries of superintendents and workmen, are set at \$35,570 per annum, so that a net income of \$86,500 may be safely expected. Such is the estimate made by the very intelligent committee of the corporation, and contained in their circular."

It appears from the above that a very intelligent committee, in their circular to the public, estimate the total income from all sources to be \$125,370. Say for passengers, \$71,370

"freight, 44,000

Expenses, 125,370

Net income, 86,500

Net income, eighty-six thousand eight hundred dollars. Compare these figures with those in the report just issued to the stockholders of the corporation, and the result shows an increase of net income the last year over the estimates made in 1831, of one hundred eighty-seven thousand one hundred seventy-seven dollars and eighty cents.

It will be seen by the report referred to, that the total receipts for the year ending the 30th of November, were \$243,159 59

Expenses, 429,543 35

Net income, \$273,917 90

The very intelligent committee say in their circular that it will take four locomotive engines to do the business of the road. At the present time it requires twenty-nine.

TERRE HAUTE AND RICHMOND RAILROAD COMPANY.—We have before us the first annual report of this company. We extract the following, not having room for the entire report. On the 20th day of December, 1848, the clearing, grubbing and grading of 32 miles of the road, on that part of the line between Terre Haute and Greencastle, and the building of a stone pier and abutments for a bridge across the Walnut fork of the River, was let to contractors at about 6 per cent. below the Engineer's estimate, and about 33 per cent. of the work payable in the stock of the company. Most of the work, excepting two light sections, has rapidly progressed. The balance of the road to this city has been permanently located, and was let to contractors last December, as was then noticed in this paper, at about 24 per cent. below the Engineer's estimate, and 23 per cent. payable in the stock of the company. "There now remains a little over 20 miles, including the two sections forfeited, to be put under contract, the Engineer's estimate for clearing, grubbing, and grading of which, amounts to a little upwards of fifty-three thousand dollars, and we have every confidence to believe that our stock subscription will be increased, in a few months, so as to justify our putting that part of the line, and the building of the stone pier and abutments for a bridge across White River, under contract, the coming spring, so as to enable us to complete the grading of the whole line from Terre Haute to Indianapolis, ready for the superstructure, in one year from this time, and thereby secure the completion of the road between these two points by the first of December, 1851."

Sites for depots at Terre Haute and Indianapolis have been secured, without any expense to the company. Also five acres of land for machine shops at Indianapolis, for one thousand dollars, payable in two years with interest, and five acres at Terre Haute without charge.

"The cost of grading and bridging the road from Terre Haute to Indianapolis, ready for the superstructure, according to the Engineer's estimate, will amount to \$17,188 dollars. To meet which we have a subscription to stock, including the amount payable to contractors on their contracts, of \$232,600 dollars; to which add 30 per cent. on the balance of the grading and bridging, not under contract, payable in stock, amounting to \$4,166 dollars; and the commissioners of Vigo county will subscribe 50,000 dollars, payable in the bonds of the county, at any time when called upon by the company to do so—making in all the sum of \$167,756 dollars, which amount will about cover the expenses of preparing the road for the superstructure."

The receipts of the company to the present time amount to 103,385 60-100 dollars, and the expenditures to 102,911 12-100 dollars, leaving a balance in the treasury of 473 93-100 dollars.

The directors think that with exertion on the part of all interested, with a liberal subscription to the stock, the road can be completed between Terre Haute and Indianapolis by December, 1851, and concludes thus:

"If we look at this road as a part of the main trunk which is ultimately to connect the East and West, and view its connection at Indianapolis with the Madison, Lawrenceburgh, Cincinnati, Bellefontaine, and Peru roads, and at Terre Haute with the Wabash and Erie canal, and the Evansville, St. Louis, Alton, and Quincy roads—also the immense local business from the rich agricultural country, and inexhaustible beds of coal through which it passes, we must all be convinced that there is no other road in the country that will pay a better dividend on its cost. As an investment of capital, we know of none more safe, and certainly of none which promises to pay so well for all time to come."

The Goshen Democrat concludes a notice of certain delinquent subscribers as follows:

"We warn the public not to harbor or trust them any more on our account, as we will pay no more debts of their contracting. We shall serve none of 'em in the same way, one of these times. It is a shame and disgrace not to pay the Printer!"

This may bring them up to "tax," but not likely. Best to adopt our system. We have not lost a dollar on the State Sentinel subscription list since its existence, nearly nine years! But before that we lost thousands and were bankrupt under the credit system. The kindness of our friends killed us!"

The Democrats of Connecticut have made the following nominations: For Governor, Thomas H. Seymour; for Lieutenant Governor, Charles H. Pond; for Secretary, Hiram Weed; for Treasurer, Henry D. Smith; for Comptroller, Rufus G. Pinney.

The whigs have made the following nominations: For Governor, L. F. S. Foster; for Lieutenant Governor, G. Kendrick; for Secretary, Roger H. Miles; for Treasurer, Thos. B. Clark; for Comptroller, Selah Strong.

And the free soilers have nominated John Boyd for Governor, and Julius Clark for Lieutenant Governor.

INDIANAPOLIS, MARCH 7, 1850.

For the State Sentinel. The New Constitution. No. VI.

The number of Senators might be forever fixed at 24, and of Representatives at 72. But in this case it would take three Representative districts to make one Senatorial district. This would make another small saving of expense.

All special legislation should be abolished, and local and private legislation be reduced to the narrowest possible compass. The power of the Legislature to grant divorces should be abolished; and it should be prohibited from "instructing our Senators in Congress," or "requesting our Representatives," to give or withhold their votes on any national question. Such instructions, or requests, if given or made at all, should come from the people of the State, in primary assemblies; while the members of the Legislature, elected solely for purposes of State business, should be confined to it. I would not, however, prohibit the members of the Legislature from expressing an opinion on any national question, by yeas and nays, without debate, provided a majority of two-thirds desired to do so. Resolved, that in the opinion of the General Assembly of the State of Indiana, &c., would pass for its exact value at home and abroad; and as no speeches could be made for Buncome, no harm, except a little waste of time, paper and ink, in calling the yeas and nays, could come of it.

In regard to the importance of a large or small number of Senators or Representatives, so far as the welfare of the State is concerned, it is of no importance. Of the two best governed and most prosperous States in the Union, both as it regards their public finances and the individual property of the citizens, one has the largest and the other the smallest number of inhabitants; these States are Massachusetts and New York. The question being mainly, if not wholly, one of economy, the smallest number should be fixed upon in the new Constitution for this State.

SWITZERLAND.

The "State Sentinel," is giving us some very interesting leading articles upon the subject of the new Constitution. The editors seem to be fearful of the whigs are about to steal their thunder. The Sentinel appears to be conducted with more talent and zeal than usual. There is but little to interest, yet the editors are constantly laboring to make a paragraph of interest.—Brookline American.

We don't care how much the whigs may steal of our thunder, provided they make an honest use of the stolen goods! But never mind: if they are dishonest in the commission of their last whiggish theft, they will be detected and punished, in good time: the cars will stick out, as they did in the case of a certain animal of olden time, who clothed his ugly carcass in a lion's hide; or else they will be betrayed by the bray, such, for instance, as in the following, from the Republican, a whig paper published at Warsaw, in this State. It thus spoke of the whig batch of resolutions:

"A series of resolutions adopted at a Whig meeting at Indianapolis on the evening of the 16th inst., we shall publish next week. They express the opinion of the meeting, but we do not understand that they profess to speak for the Whigs of Indiana, though they may pretty correctly echo their sentiments, upon most subjects."

Rather dubious, any how!

ENGLISH MARKETS.—Advices by the steamship America, recently received, represent that the Corn market is depressed. Flour is not much acquired after, and prices have fallen one shilling to one shilling and sixpence per barrel on good brands. Indian Corn has declined 6d per quarter.

AMERICAN PROVISIONS.—The market has removed for Bacon and good Western hams advanced one shilling to two shillings per cwt. Lard has again declined. Pork is in good demand, but there is no change in prices. There is a good demand for Shoulders of low qualities, but no advances has yet been made.

IRELAND.—The intelligence from this unfortunate country is more heart-rending than ever. Cultivation is seemingly stagnant, and trade is more depressed than in the first of her sufferings. The tide of emigration for the United States has again set in, but unfortunately for the people, the means is not now generally left to enable them to escape from local tyranny and destitution.

PASS ROUND THE RASCAL.—A pretended dentist, a Dr. Wm. Booth, has run away from Virginia, under the worst circumstances—after contracting several debts and courting a lady, whom he promised to marry. A borrowed horse he sold at Georgetown. His trunk was found to contain nothing but billets of wood. It has since been ascertained, that, under the name of Dr. Frederick Preston, he married a lady in Wisconsin, in October, 1847; left her in May following; subsequently he appeared in Howard county, Mo., as Dr. James L. Dunn; in November, 1848, married another lady at Indianapolis, Ia., converted all her property into money, and, in March last, deserted her at Fayette, Missouri. He next appeared in Philadelphia as Dr. Bame, and came to Waterford in May last. He is about forty years of age. Pursue the rascal!

It is estimated that six thousand persons or nearly one-fifth of the population of Cincinnati have had the small-pox or varioloid during the last four months. It is spreading to a considerable extent in Covington and Newport, Ky. Like the cholera, it bears a milder form now than it did in 1832-3, when it raged in the wake of that dreadful disease.

J. O. O. F. IN INDIANA.—By the report of the Grand Secretary to the January communication of 1850, it appears there were existing and chartered at the close of the preceding session of the Grand Lodge 66 subordinate lodges; initiations during the preceding year 714; number of contributing members 2,657; number of P. G. A. 446; revenues for year ending June 30, 1849, \$30,312 70. The order is represented as enjoying great harmony and prosperity. The increase of its membership is very rapid.

The following are the "Statistics of the Charity Hospital of New Orleans" for the last nine years. During the year 1849 the expenses of the Hospital were \$92,938 43; the number of patients admitted was 15,558, of whom 13,634 were foreigners, and 1,782 were native citizens. The Hospital has 37 wards containing 753 beds. The benefits of the Institution have been dispensed to patients from almost every State, nation and kingdom of the globe.

JEFFERSON UPON HOMESTEAD EXEMPTION.—The following is the language of Thomas Jefferson in relation to "Homestead Exemption." Let every democrat ponder upon it, and henceforth let no one, claiming to be a disciple of that illustrious man, raise his voice against so just and humane a reform:

"The Homestead.—When the war is over and our freedom won, the people must make a new declaration: they must declare the rights of man, the individual, sacred above all craft in priesthood or governments—they must at once blow up an end to all the trickeries of English law, gathered up in all the channels of ages, bind the heart and will with lies. They must perpetrate republicanism truth by making the Homestead of every man a holy thing, which no law can touch, no juggler can wring from his wife and children—this done, the Revolution will not have been fought in vain.—Thomas Jefferson.

[Volume IX: Number 40.]

By Telegraph. Congressional.

WASHINGTON, Feb. 25, 1850. SENATE.—After unimportant business, on motion of Mr. Foote the Senate took up its resolution, declaring that it is the duty of Congress to provide Territorial Governments for California, New Mexico and Deseret, which, after some debate was postponed for the present.

The consideration of the President's California Message was postponed until to-morrow.

The Senate took up Mr. Clay's compromise resolutions.

Mr. Miller resumed and concluded his speech. He took broad grounds in favor of the admission of California. He denied that the President had interfered in the matter and said, that slavery does not by law exist there, and that the interest of the South had been fully represented in California.

After Mr. Miller had concluded, the farther consideration of the subject was postponed until Thursday.

A long discussion ensued on a resolution to refer the slavery and all other exciting questions, to a committee of thirteen, to be empowered to submit a plan for the settlement of the difficulties.

The debate was continued until adjournment.

HOUSE.—A number of memorials and petitions were presented, among which was one from William Smith, claiming to be a brother of Joe Smith, remonstrating against the admission of Deseret, charging the people there with treason and other bad things.—Laid over.

Mr. Giddings presented a memorial from citizens of Pennsylvania and Delaware, asking the peaceable dissolution of the Union. Several gentlemen sprung to their feet and much excitement ensued.

Finally a vote was taken on the reception, which resulted—yeas 9, nays 162. The Free Soilers voted in the affirmative.

Mr. Schenck presented a memorial of the convention of New Mexico, together with a plan of a Civil Government and moved its reference to the Committee on Territories.

After some further business of no special interest, the House adjourned.

WASHINGTON, Feb. 26. SENATE.—After the reception of reports, and a personal explanation between Hale and Foote, a motion prevailed to adjourn to attend the funeral of Gen. McNell, a distinguished son of New Hampshire.

HOUSE.—After the presentation of reports, they went into committee of the whole on the President's annual message.

Mr. Wilson resumed and concluded. Mr. Toombs next obtained the floor, but gave way for a motion to adjourn to attend the funeral of Gen. McNell.

[There is a duel pending between Col. Bissell, of Ill., and Jeff. Davis, of Miss., for remarks of the former in the House in regard to the battle of Buena Vista. Both are good shots, and unless the affair is stopped both may be killed, and efforts are making to reconcile the parties.]

WASHINGTON, Feb. 27, 1850. SENATE.—After the presentation of petitions Mr. Clay's compromise resolutions were taken up.

Mr. Benton took the floor and spoke at great length. He read from the Constitution of Mexico, adopted in 1843, which declared that slavery did not exist in the territory of the nation. He entered at some length into an argument to show that, had slavery not been abolished, no man would think of taking a slave there under the law governing slavery, unless for the purpose of freeing him, because that law favored the slave so much more than the master as to make slavery unsafe and unprofitable. He contended that nothing was to be gained and nothing lost by the pressure of the Wilmot proviso in connection with the territories of New Mexico and California.

Mr. Rusk next took the floor and addressed the Senate in vindication of the rights of Texas to all the territory claimed by her, east of the Rio Grande, and opposing the third resolution of the series introduced by Mr. Clay. He reviewed the entire question, quoting from various documents for the purpose of proving the title of Texas to the territories claimed.

Without concluding Mr. Rusk gave way to a motion to adjourn.

HOUSE.—Mr. Johnson, of Tennessee, introduced a bill to give a homestead to every head of a family, or to any widow or mother of a minor child, who shall become permanent occupants of the soil thus granted. Referred to the committee on Agriculture.

The House then went into committee of the whole on the President's California message.

Mr. Davis gave notice of a bill which he would introduce, admitting California with her present boundaries.

Mr. Green gave notice that he would submit an amendment, establishing the Missouri boundary line. Mr. Toombs having the floor, spoke at length on the slavery question. It was the duty of the South to defend her rights here, and the duty of the people everywhere. When that fails, it was for the people to approve of a violated contract. When the Constitution fails to protect them, they will stand by their arms.

The discussion took a rambling turn, and continued till adjournment.

Congressional—Disorderly Proceedings. We have the details of the scenes in the House, upon the California Resolutions, introduced by Mr. Davis. The Southern members, for twelve consecutive hours, resorted to all sorts of parliamentary artifices and tricks; First, a motion to adjourn—yeas and nays called—lost.

Second, a motion to go into Committee of the Whole on the state of the Union.

Third, a member asks to be excused from voting, and the yeas and nays called on it.

Fourth, a motion to adjourn—yeas and nays called. Fifth, a motion of order made. Appeal from the Speaker—yeas and nays ordered.

Sixth, a member asks to be excused from voting—yeas and nays called.

Seventh, motion to adjourn—yeas and nays ordered. Eighth, Southern members abstain from voting—then consultation.

Ninth, question of privilege raised. Speaker decides that it can't be made. Appeal from his decision—and so on during all day Monday until 12 o'clock. Mr. Toombs then declares that "Resolution day is now over," and the question cannot again be taken up for two weeks.

It is evident that a large portion of the Southern members have resolved to get up scenes like this as often as the California Bill comes up. These evasions and movements indicate the desperation of Southern families and agitators. They show a fixed determination to prevent anything being done until the slavery issues are settled conformably to their wishes. They also give out that no appropriation bill will be passed, unless the slavery questions are determined according to their ultimatum.

A repetition of these scenes will be likely to result in acts of violence, disgraceful to our National Legislation, and perilous to Republican Government.

The Southern members offer to stop this sort of revolutionary action, only on one of three conditions. 1st. That 36, 30 be made the compromise line in new territory, and 2d. That slavery be admitted by the consent of Congress into the Territories of New Mexico, Deseret, &c. 3d. That Texas be cut into two Slave States, to offset the free State of California.—Cin. Gaz.

According to the management of Mr. Meredith, the Secretary of the U. S. Treasury, the N. Y. Journal of Commerce says: